

CHAPTER NO. 42

HOUSE BILL NO. 1977

By Representative Eckles

Substituted for: Senate Bill No. 1970

By Senator Womack

AN ACT to amend Chapter 284 of the Private Acts of 1915; as amended by Chapter 117 of the Private Acts of 1961; Chapter 79 of the Private Acts of 1977; Chapter 3 of the Private Acts of 1985; and any other acts amendatory thereto, relative to the Charter of the Town of Smyrna.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 284 of the Private Acts of 1915, as amended by Chapter 117 of the Private Acts of 1961, Chapter 79 of the Private Acts of 1977, Chapter 3 of the Private Acts of 1985, and any other acts amendatory thereto, is amended in Section 3 by adding the following as a new, appropriately designated subsection:

() To levy and provide for the collection of a development tax on all property subject to taxation and to assess fees for the use of or impact upon such property and facilities as authorized by State law.

SECTION 2. Chapter 284 of the Private Acts of 1915, as amended, is further amended by deleting Section 23 in its entirety and substituting instead the following:

SECTION 23. BE IT FURTHER ENACTED, that no person shall be qualified to hold any elected position connected with the government of such town unless they have been a resident of the town for one (1) year, prior to the qualifying date for election to that office.

SECTION 3. Chapter 284 of the Private Acts of 1915, as amended, is further amended by deleting Section 24 in its entirety and substituting instead the following:

Commissioners to take oath; Mayor to be Chairman, preside, etc.

SECTION 24. BE IT FURTHER ENACTED, that the Board of Commissioners in whom is vested the corporate authorities of such town, before entering upon their duties shall take an oath before the City Judge, General Sessions Judge, or a Judge of a court of record, that they will honestly and faithfully discharge the duties of their office without partiality, favor or affection. The Mayor of the Town of Smyrna shall act as Chairman of the Board of Commissioners and shall preside at all meetings of the Board. The Mayor shall have a vote but no veto power.

SECTION 4. Chapter 284 of the Private Acts of 1915, as amended, is further amended by deleting Section 27 in its entirety and substituting instead the following:

Qualifications for voting in city elections; tie votes.

SECTION 27. BE IT FURTHER ENACTED, that all persons who are qualified voters for a member of the General Assembly, and who reside within the corporate limits of the Town of Smyrna, shall be allowed to vote on all

questions. In case of a certified tie vote between two or more candidates for commissioners, the Board of Commissioners shall, within ten (10) days, convene in special session before the regularly scheduled December city council meeting and vote between the respective candidates to break the tie. In the event the Board of Commissioners cannot break the tie, a special runoff election shall be held within forty-five (45) days.

SECTION 5. Chapter 284 of the Private Acts of 1915, as amended, is further amended by adding the following as a new, appropriately designated section:

Employee Review.

SECTION (). BE IT FURTHER ENACTED, that the Board of Commissioners is hereby authorized to establish an Employee Review Board, and to establish policies, procedures, and guidelines to promote fairness and efficiency in the administration of employment matters. No employee shall be terminated without adherence to all procedures established by the Employee Review Board.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Governing Body of the Town of Smyrna within sixty (60) days of its signing by the Governor. Its approval or non-approval shall be proclaimed by the Presiding Officer of the Town of Smyrna and certified to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

PASSED: May 19, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this day of 1999

DON SUNDQUIST, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had House Bill No. 1977 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.